

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

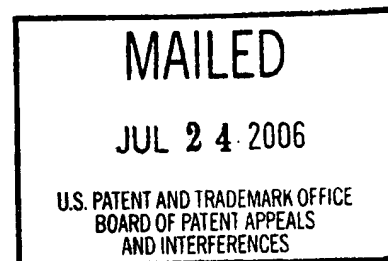
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Ex parte LAWRENCE HOWELL SAWYER,  
MICHAEL JOHN NIEMEYER and  
LORI TASSONE HOLMES

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Application No. 09/939,061

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was electronically received at the Board of Patent Appeals and Interferences on July 18, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below:

Appellants filed an Information Disclosure Statement (IDS) on January 17, 2006. It is not clear from the record whether the examiner considered the statement submitted or whether the examiner notified appellants of why their submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98 as the documents on the form 1449 of the IDS have not been initialed or a line drawn through them to indicate consideration nor has the form been signed and dated as required. Correction is required.

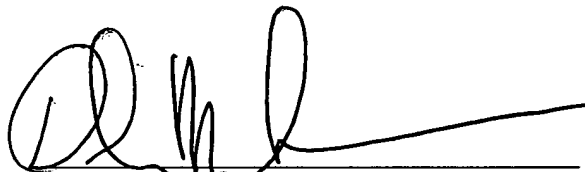
Application No. 09/939,061

Accordingly, it is

ORDERED that the application is being returned to the Examiner for proper consideration of the IDS filed on January 17, 2006, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:

A handwritten signature in black ink, appearing to read 'DMS', followed by a long horizontal line extending to the right.

DALE M. SHAW  
Deputy Chief Appeals Administrator  
(571) 272-9797

cc: PAULEY PETERSEN & ERICKSON  
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DMS/vsh